

*FINAL REPORT*

# RULES AND REGULATIONS



## DUTCHESS COUNTY AIRPORT WAPPINGERS FALLS, NEW YORK

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COUNTY EXECUTIVE

PREPARED BY:



DECEMBER 2007



## **Dutchess County Airport Rules and Regulations**

, 2007

To all Airport Tenants and Users:

The Dutchess County Airport is owned and operated by the County of Dutchess. It is a public use, general aviation service Airport. The County is charged with the safe and efficient operation of the Airport. The daily management of the Airport is under the direction of the Airport Director.

The Dutchess County Airport is required by Federal Aviation Administration (FAA) regulations to have Rules and Regulations that outline the operations at the Airport. The attached revised Rules and Regulations for the Dutchess County Airport dated 2007 were adopted by the Dutchess County Legislature on 2007 by Resolution Number . I approved the Resolution on 2007. The effective date of the revised rules and regulations is 2007.

This revised version of the Rules and Regulations were developed by the Rules and Standards Committee which were comprised of Airport tenants, users, local pilots, neighbors, and County staff in consultation with the representatives from C&S Engineers. I would like to take this opportunity to thank all of the committee members for their time and effort in revising the Airport's Rules and Regulations.

Yours truly,

William R. Steinhaus  
County Executive



**Dutchess County Airport  
Rules & Regulations**

**Amendments**

<u>Date</u>	<u>Amendment #</u>	<u>Subject</u>	<u>Approved by</u>



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## **Section 1 - General**

### **1.1 Purpose**

The primary purpose of these Rules and Regulations is to promote safety and security at the Airport.

The County owns and operates the Airport as a public-use, general aviation service Airport. The County is charged with the safe and efficient operation of the Airport. The daily management of the Airport is under the direction of the Airport Director. The Airport Director is authorized to propose changes to the Rules and Regulations and the Rates and Charges to the Dutchess County Legislature for their review and approval. The Airport Director is authorized to enforce the approved Rules and Regulations.

This document provides the Rules and Regulations for general use of the Airport. It is supplemented by the Airport Minimum Standards, Airport Security Program, and Airport Certification Manual.

### **1.2 Applicability**

To the extent that these Rules and Regulations conflict with prior Airport rules or regulations or Minimum Standards dealing with the same subjects, these Rules and Regulations shall prevail. However, these regulations are not intended to supersede any provisions of applicable law or any specific agreement with which they may conflict.

### **1.3 Compliance**

The use of and entry upon the Airport shall create an obligation on the part of the user to comply with these Rules and Regulations. Any permission granted by the Airport Director or his authorized representative to a person, directly or indirectly, expressly or by implication, to enter upon or use the Airport, is conditioned upon compliance with these Rules and Regulations and the payment of any fees or charges to the County for the use of the Airport or any facility located thereon.

It shall be unlawful for any person to do or commit any act forbidden herein or to fail to perform any act required by these Rules and Regulations or to fail to pay any administrative fees or fines established and payable.



#### 1.4 Other Laws

All applicable provisions of the laws of the United States, Federal Aviation Regulations, laws of the State of New York and other local laws of the County, now in existence or hereafter enacted, shall be in effect at the Airport. All applicable provisions of pertinent regulations promulgated by the County affecting the operations of the Airport not in conflict with these Rules and Regulations, now in existence or hereafter enacted, shall be in effect at the Airport.

#### 1.5 Commercial Use Authorization Required

No person shall occupy or rent space and no person shall conduct any business, commercial enterprise or activity, or other form of revenue producing activity on the Airport without first obtaining a written contract, lease, permit, or other form of written authorization from the County.

#### 1.6 Management of Public

The Airport Director or his authorized representative may at all times have authority to take such action as may be necessary in the handling, conduct, and management of the public attendance at the Airport.

#### 1.7 Variance

Relief from the literal requirements of these Rules and Regulations may be granted by the Airport Director when strict enforcement would result in practical difficulty or unnecessary hardship. Any such relief may be subject to reasonable conditions necessary to maintain the safety of flight operations, fulfill the intent of the Rules and Regulations, and protect the public interest.

#### 1.8 Appeals Process

The Airport Director's determinations may be appealed by the aggrieved party in writing to the Commissioner of Public Works. The Commissioner of Public Works shall issue a written decision on the appeal within twenty (20) business days of receipt of a fully submitted appeal.



## **Section 2 – Tenant and User Responsibilities**

### **2.1 Personal Conduct**

#### **GENERAL**

The public shall observe and obey all posted signs, fences, and barricades prohibiting entry upon the Airport Operations Area (AOA) or Restricted Areas or governing the activities and demeanor of the public while at the Airport.

#### **USE AND ENJOYMENT OF THE AIRPORT PREMISES**

No person(s) singularly or in association with others shall by his, her, or their conduct or by congregating with others prevent any other person or persons lawfully entitled thereto from the use and enjoyment of the Airport and its facilities or any part thereof, or prevent any other person or persons lawfully entitled thereto from passage from place to place, or through entrances, exits, or passageways on the Airport.

It shall be unlawful for any person to remain in or on any public area, place, or facility at the Airport, in such a manner as to hinder or impede the orderly passage in or through or the normal customary use of such area, place, or facility by person or vehicles entitled to such passage or use.

#### **DISORDERLY CONDUCT**

No person shall commit a disorderly, obscene, indecent, or unlawful act or commit a nuisance on the Airport grounds.

#### **INTOXICATION**

No person under the influence of alcohol or narcotics shall operate a motor vehicle or aircraft on the Airport grounds. Anyone drunk and disorderly on the Airport grounds shall be dealt with as provided by statute and is subject to fine and/or imprisonment as provided by law.

#### **LOITERING**

No person shall disrupt, slow down, or impede the normal activities of the Airport. Dutchess County reserves the right to direct persons loitering on the airport property to leave the premises.

#### **GAMBLING**

No person shall conduct gambling in any form or operate devices on the Airport grounds.



#### **PRESERVATION OF PROPERTY**

No person shall injure, destroy or disturb any buildings, signs, equipment, landscaping or other property on the Airport grounds. Violators are liable for the reasonable value of damage done to property.

#### **LOST ARTICLES**

All lost articles shall be deposited at the office of the Airport Director. If a lost article is not claimed within 90 days after it is deposited it will be returned to the finder.

#### **EXPLOSIVES**

Unless otherwise permitted by law, no one shall possess explosives at the Airport.

#### **FIREARMS**

No one shall carry a loaded firearm in any weapons-free areas designated by the Airport Director.

#### **ANIMALS**

No person shall enter the terminal building or landing area of the Airport with a dog or other animal except police dogs and/or service animals. Dogs and other animals may be permitted in other areas of the Airport if restrained by leash or confined in such a manner as to be under control.

### **2.2 Tenant**

#### **GENERAL**

All tenants shall be required to abide by all reasonable policies, procedures and practices promulgated from time to time by the Airport Director or the County as well as those requirements contained within these Rules and Regulations.

#### **MINIMUM INSURANCE REQUIREMENTS**

The Airport Director shall require any person who operates on the Airport to provide minimum insurance coverage in accordance with the Dutchess County Airport Minimum Standards or contained in an executed agreement with the County.

With respect to the insurance requirements set forth in this section, said policies shall provide that the Airport and the tenant shall be given a minimum of thirty (30) days written notice by registered mail by the insurance company prior to cancellation, termination, or change in such insurance. The tenant shall provide the Airport Director with copies of the policies or certificates evidencing that such insurance is in full force and effect and stating the terms of the coverage.

Any tenant whose required minimum levels of insurance expire or whose coverage lapses, and who continues to operate on the Airport shall be subjected to immediate denial of access to the Airport. Any person who knowingly or intentionally delivers to the Airport fraudulent,



counterfeit, or otherwise invalid proof of insurance may immediately be denied access to the Airport.

#### **ENVIRONMENTAL LAWS**

Each airport tenant shall comply with applicable laws protecting the environment and natural resources and shall be responsible for violations resulting from their operations on the Airport.

Each tenant shall indemnify and hold harmless the County from and against any and all liability for fines and physical damage to property or injury or death to persons, including reasonable expense and attorney's fees, arising from, or resulting out of, or in any way caused by such tenant's failure to comply with applicable law, now or hereafter promulgated for the purpose of protecting the environment. Each tenant shall cooperate with any investigation or inquiry by any governmental agency regarding possible violation of any environmental law or regulation.

#### **USE OF SHOP AREAS**

All shops, hangars, garages, equipment, and other facilities under control of a tenant are expressly reserved for the conduct of the tenant's business and operations. No persons other than employees of the tenant shall make use of such facilities without permission of the tenant. Any activity beyond that authorized in the agreement requires notification to and permission of the Airport Director.

#### **SANITATION**

No tenant shall dispose of, or allow its employees or customers to dispose of garbage, papers, refuse, or other material on the Airport except in trash or garbage containers provided for that purpose.

#### **STORAGE OF EQUIPMENT**

No tenant at the Airport shall store or stack material or equipment in such a manner as to constitute a hazard to personnel or property. Tenants shall park and keep apron equipment in a neat and orderly manner.

#### **CONSTRUCTION OR ALTERATION OF IMPROVEMENTS**

Any construction or alteration of an improvement located on the Airport must be approved in advance by the Commissioner of Public Works.

#### **MAINTENANCE OF PREMISES**

All tenants are required to keep the land and/or improvements under lease (or being occupied or used) free from all fire hazards and maintain the same in a condition of repair, cleanliness, and general maintenance that is in accordance with the tenant's agreement with the County.



**DAMAGE TO PROPERTY**

Each tenant shall be fully responsible for all damages to buildings, equipment, real property and appurtenances caused by any act or omission on the part of the tenant or tenant's employees, agents, customers, visitors, suppliers, or persons with whom they may do business.

If the County repairs damages to buildings, equipment, real property, and appurtenances, the tenant shall reimburse the County.



## **Section 3 - Aeronautical**

### **3.1 General Rules**

#### **COMPLIANCE WITH ORDERS**

All aeronautical activities at the Airport shall be conducted in compliance with the current applicable Federal Aviation Regulations, these Rules and Regulations, Dutchess County Airport Minimum Operating Standards, and Special Operating Directives issued by the Airport Director, as may be amended or renumbered from time to time.

#### **HOLD HARMLESS COUNTY**

All aircraft owners, pilots, agents, and their duly authorized representatives agree to release, discharge, indemnify and hold harmless the County of Dutchess from liability for any damage which may be suffered by any aircraft or equipment and personal injury or death, caused by them. The use of the Airport Operations Area (AOA) and related facilities shall constitute acceptance of the terms of this provision, these Rules and Regulations, the Minimum Standards, and Operating Directives.

#### **NEGLIGENT OPERATIONS PROHIBITED**

No person shall operate aircraft at the Airport in a careless manner or in disregard of the rights and safety of others.

All persons using the Airport shall be liable for any property damage caused by their carelessness or negligence on or over the Airport. Any aircraft being operated so as to cause such property damage, may be retained in the custody of the Airport Director and County shall have a lien on said aircraft until all charges for damages are paid. Any person liable for such damage agrees to indemnify fully and to save and hold harmless Dutchess County, its officers, and its employees from claims, liabilities, and causes of action of every kind, character, and nature and from all costs and fees (including attorney's fees) connected therewith and from the expenses of the investigation thereof.

#### **DENIAL OF USE OF AIRPORT**

The Airport Director or his authorized representative shall have the right at any time to close the Airport in its entirety or any portion thereof to air traffic, to delay or restrict any flight or other aircraft operation, to direct refusal of takeoff permission to aircraft, and to deny the use of the Airport or any portion thereof to any specified class of aircraft or to any individual or group, when he or she considers any such action to be necessary and desirable to avoid endangering persons or property and to be consistent with the safe and proper operation of the Airport. In the event the Airport Director or his authorized representative believes the condition of the Airport to be unsafe for landings or takeoffs, it shall be within his authority to issue or cause to be issued a NOTAM (Notice to Airmen) closing the Airport or any portion thereof.



#### **AIRCRAFT ACCIDENTS OR INCIDENTS**

The pilot or operator of any aircraft involved in an accident or incident on the Airport causing personal injury or property damage shall file a report in accordance with Federal Aviation Regulations (FARs).

#### **TAMPERING WITH AIRCRAFT**

No person shall interfere or tamper with any aircraft, or put in motion such aircraft, or use or remove any aircraft, aircraft parts, instruments or tools, without prior permission from the owner.

#### **CERTIFICATION OF AIRCRAFT AND LICENSING OF PILOT**

All aircraft operating at the Airport shall display on board the aircraft a valid Airworthiness Certificate issued or required by the FAA or appropriate foreign government and shall display on the exterior of the aircraft a valid registration number issued by the FAA or appropriate foreign government. All persons operating aircraft on the Airport shall possess an appropriate certificate, issued by the FAA or appropriate foreign government. The operator shall, upon request of the Airport Director or his authorized representative, produce the operator's certificate and Airworthiness Certificate.

#### **REGISTRATION OF AIRCRAFT**

The Airport Director may require from time to time and may designate, at his/her discretion, appropriate locations for the registration of pilots and aircraft using the Airport and pilots shall comply with the requirements of registration.

### **3.2 Airport Operational Restrictions**

#### **USE RESTRICTIONS WITHIN AIRFIELD OPERATIONS AREA**

Unless contrary to Federal Aviation Regulations, the Airport Director or his authorized representative shall have the authority, through Standard Operating Procedures and/or NOTAMs, to designate or restrict the use of runways or other operational areas at the Airport.

#### **BANNER TOWING PROHIBITED**

Aircraft tow banner pickups and drop offs from or on the Airport are prohibited without a prior written agreement signed by the Airport Director and under such terms and conditions as may be imposed.

#### **PARACHUTE JUMPING PROHIBITED**

Parachute jumping over or onto the Airport is prohibited without a prior written agreement signed by the Airport Director and under such terms and conditions as may be imposed.

#### **KITES, MODELS, BALLOONS STRICTLY PROHIBITED**

No kites, model airplanes, tethered balloons or other objects constituting a hazard to aircraft operations shall be flown on or within the vicinity of the Airport.



### 3.3 Taxi and Ground Rules

#### **AIRCRAFT PARKING**

No person shall park an aircraft in any area on the Airport except those designated, and in the manner prescribed, by the Airport Director. If any person uses unauthorized areas for aircraft parking, the aircraft so parked may be removed by or at the direction of Airport Director at the risk and expense of the owner thereof.

Aircraft shall not be parked in such a manner as to block other parked aircraft, hangars, or taxilanes.

No aircraft shall be left unattended on the Airport unless it is in a hangar or adequately secured.

All aircraft parked outside shall be double locked with one internal and one external lock when not in operation. Aircraft owners/operators shall notify the Airport Director when the aircraft design prohibits meeting this requirement. Aircraft parked in a secured/locked hangar shall be considered to be double locked (airport security perimeter fence and locked hangar).

Articles left in aircraft are the sole responsibility of the aircraft owner/pilot. Theft or vandalism of said articles are not the responsibility of the County.

#### **DISABLED AIRCRAFT**

No person shall park or store any aircraft in non-flyable condition on Airport property, including leased premises, for a period in excess of ninety (90) days without prior written permission from the Airport Director.

Whenever any aircraft is parked, stored or left in a non-flyable condition on the Airport in violation of the provisions of this Section, the Airport Director shall so notify the owner or operator thereof by certified or registered mail, requiring removal of said aircraft within fifteen (15) days of receipt of notice, or if the owner or operator be unknown or cannot be found, the Airport Director shall conspicuously post and affix notice to the aircraft, requiring removal of the aircraft within fifteen (15) days from date of posting. Upon the failure of the owner or operator to remove the aircraft within the period provided, the Airport Director shall have the aircraft removed from the Airport. All costs incurred by the Airport Director in the removal of any aircraft as set forth herein shall be recoverable against the owner or operator thereof.

#### **STARTING AND RUNNING AIRCRAFT ENGINES**

No aircraft engine shall be run at the Airport unless a pilot or certified A&P (Airframe and Power Plant) mechanic qualified to run the engine of that particular type aircraft is at the controls and the aircraft has set adequate parking brakes.



No person may run the engine of an aircraft parked on the Airport in a manner that could cause injury to a person(s), damage to property or in any way hinder the safe operation of the Airport.

All maintenance run-ups will be made in a place designated by the Airport Director or his authorized representative.

#### **AIRCRAFT TAXIING**

During those hours the Air Traffic Control (ATC) Tower is in operation, no aircraft shall be taxied or towed prior to getting the ATC Tower clearance for such operation. During those hours the ATC Tower is closed, the pilot's responsibility is the same as at uncontrolled airports. The pilot in command of the aircraft is responsible for avoiding a collision with other aircraft, persons, or objects on aprons, ramps, taxiways, etc.

Aircraft shall be taxied at speeds that will insure complete control at all times. On ramp, apron and parking areas, the speed shall not exceed 15 miles per hour.

#### **TAKE-OFFS AND LANDINGS**

During those hours the ATC Tower is in operation, no aircraft shall attempt to take off or land without ATC Tower clearance. During those hours the ATC Tower is not in operation, the pilot's responsibility is the same as at an uncontrolled airport.

Except in an emergency, all fixed-wing aircraft landings and takeoffs shall be made on the runway.

#### **NOISE ABATEMENT PROCEDURES**

Voluntary noise abatement procedures are in effect at Dutchess County Airport at all times. All airport users can obtain copies of these procedures at the office of the Airport Director or on the County's website at [www.dutchessny.gov](http://www.dutchessny.gov).

#### **RADIO GROUND CONTROL**

The operator of an aircraft taxiing or being towed at the Airport shall monitor the ground control frequency being used by the ATC Tower and shall remain in direct communication with the ATC Tower at all times when so operating anywhere on the AOA under the active control of the ATC Tower.

#### **AIRCRAFT MAINTENANCE AND REPAIR**

Aircraft maintenance and repair is permitted only in areas designated by the Airport Director.

With the exception of preventive maintenance (as defined in 14 CFR Part 43 and summarized in Appendix A), maintenance and repair of general aviation aircraft shall be confined to designated areas within leased premises of a Fixed Based Operator (FBO) or Specialized Aviation Service Operator (SASO).



Unless authorized by the Airport Director, preventive maintenance may be performed on aircraft located on tie downs and in individual hangar, only by owners of such aircraft.

### 3.4 Helicopter Operations

Rotorcraft aircraft shall follow traffic patterns published by the FAA, or as otherwise directed by the airport and the FAA ATC Tower.

Rotorcraft over the Airport shall at all times operate at a safe distance from all buildings, property, and people so as not to cause any damage.



## **Section 4 – Motor Vehicles**

### **4.1 General Traffic Regulations**

#### **TRAFFIC SIGNS AND SIGNAL DEVICES**

The County may erect or cause to be erected all signs, markers, and signal devices pertaining to traffic control within the boundaries of the Airport. These signs, markers or devices shall be prima facie evidence that they were erected or placed under proper authority. Failure to comply with the directions indicated on such signs, markers, and devices erected or placed in accordance herewith shall be a violation of these Rules and Regulations and of the applicable provisions of the State Law.

#### **PEDESTRIAN RIGHT-OF-WAY**

The operator of any vehicle upon Airport property shall yield the right-of-way to a pedestrian who crosses within a marked pedestrian crosswalk. All drivers shall exercise due care for the safety of pedestrians.

#### **VEHICLE CONDITION**

No person shall operate upon the Airport premises any motor vehicle which: (1) is constructed, equipped or loaded in an unsafe manner; (2) may endanger persons or property; or (3) has attached thereon any object or equipment (including a towed object) which drags, swings, and projects so as to be hazardous to persons or property.

#### **CLOSING OR RESTRICTING USE OF AIRPORT ROADWAYS**

The Airport Director or his authorized representative is authorized to close or restrict the use of any or all Airport roadways to vehicular traffic in the interest of public safety or security.

#### **SLOW-MOVING VEHICLES, EQUIPMENT, MACHINERY**

Every slow-moving vehicle, equipment or machinery designed for use and speeds of less than twenty-five (25) miles per hour being operated on Airport roadways shall be equipped and display a triangular slow-moving vehicle emblem, mounted on the rear, or in case of towed units, on the rearmost unit being towed.

#### **PARKING ON RIGHT-OF-WAYS PROHIBITED**

Vehicles shall not park on any County owned or maintained right-of-way within the Airport. Vehicles so parked are subject to citation and/or towing at the owner's expense.

#### **ACCIDENTS OR INCIDENTS**

A vehicle operator involved in an accident at the Airport resulting in any injury, death to person, or damage to property, shall stop the vehicle at the scene (or as close as possible to the scene without unnecessarily obstructing traffic or creating a safety hazard) and notify 911 and the Airport Director immediately.



## 4.2 Licensing, Registration and Insurance

### **OPERATOR LICENSING**

Vehicle operators must have a valid state vehicle operator's license and evidence of insurance (as required by state law) to operate a vehicle on the AOA.

### **VEHICLE PERMIT**

Vehicles operating or parking on the AOA, except for emergency vehicles, must be registered with the Airport under the vehicle operations program.

### **VEHICLE LICENSING AND EQUIPMENT**

Except for vehicles that are exclusively used on the AOA, all vehicles shall meet proper state licensing, registration, insurance, and inspection requirements.

## 4.3 Speed Limits

Vehicles, except emergency vehicles responding to an emergency, shall not be operated on the Airport in excess of the posted speed limits or in excess of any speed stipulated in these Rules and Regulations. In areas where signs, markers, or devices are not used or posted, the speed limit shall be 20 miles per hour.

## 4.4 Vehicle Operations within Airport Operations Area (AOA)

### **PERMISSION**

No motor vehicle shall be permitted on the AOA (see Appendix B for AOA), unless the Airport Director has granted specific permission to such vehicle or such vehicle is utilized for, or in conjunction with, aeronautical activities. Such vehicle shall at all times yield the right-of-way to aircraft.

### **PARKING**

No motor vehicle shall be parked on any portion of the AOA.

### **VEHICLES CROSSING TAXIWAYS AND RUNWAYS**

All motor vehicles operating on or across taxiways or runways shall be equipped with operable two-way radios, in continuous communication with the ATC Tower, and have an operating orange/yellow rotating flashing beacon, except when under escort by a motor vehicle properly authorized and equipped.

During periods when the FAA ATC Tower is not in operation, the motor vehicle operator shall self-announce his or her position and intentions prior to entering, operating, or crossing an active taxiway or runway. Motor vehicle operator shall also self-announce being clear of all-active runways and taxiway.



The installation of two-way radios shall not be construed as license to operate a motor vehicle on the AOA without prior permission of the Airport Director.

**RESTRICTED PARKING**

No person shall park a motor vehicle in any manner so as to block or obstruct (1) fire hydrants and the approaches thereto, or (2) gates or emergency exits.

**RIGHT-OF-WAY AIRCRAFT**

Aircraft taxiing on any runway or taxiway shall always have the right-of-way over motor vehicular traffic.

**4.5 Vehicle Parking**

Vehicles shall be parked in designated, paved parking spaces only and in such a manner as to comply with all posted and/or painted lines, signs, and rules.

Aircraft owners and service providers shall only park their vehicle in the aircraft storage and parking space designated for their aircraft.

Vehicles parked in an aircraft parking and storage area shall be parked in a manner so as to be completely contained in the aircraft parking or storage space and not obstruct adjacent aircraft parking and storage areas, or taxilanes unless for the purposes of immediate and temporary loading, unloading, or staging of an aircraft.

**4.6 Vehicle Repairs**

No person shall wash or repair any motor vehicle on the Airport except those minor repairs necessary to remove such motor vehicle from the Airport, unless authorized by the Airport Director.

**4.7 Vehicle Removal**

The Airport Director or the Sheriff and his deputies may, at the owner's cost and expense, tow away or otherwise move any motor vehicle on the Airport that is in violation of the regulations of the Airport if the Airport Director determines that it is a nuisance or hazard.



## **Section 5 – Fire and Safety**

### **5.1 General**

#### **FIRE EXTINGUISHERS**

Fire extinguishing equipment at the Airport shall not be tampered with at any time nor used for any purpose other than fire fighting or fire prevention. All such equipment shall be maintained in accordance with NFPA Standards. Tags showing the date of the last inspection shall be attached to each unit or records acceptable to Fire Underwriters shall be kept showing the status of such equipment.

The County will provide fire extinguishers in County-owned hangars and will inspect annually. The tenant shall notify the Airport Director if the fire extinguisher discharges or becomes inoperable.

Fueling vehicles designed for the transport of fuel shall carry at least two fire extinguishers, one located on each side of the vehicle. Extinguishers shall conform to applicable NFPA Standards.

#### **SMOKING**

Smoking, carrying lit smoking materials, striking matches, or other incendiary devices are prohibited in the following locations: within 50 feet of parked aircraft, fueling or defueling areas, during loading or unloading of fuel tank vehicles or tank cars, within 50 feet of a flammable liquid spill, in any area on the Airport where smoking is prohibited by the Airport Director by means of posted signs, in any hangar, shop, or other building in which flammable liquids are stored or used.

#### **OPEN FLAME DEVICES AND OPERATIONS**

Lead and carbon burning, fusion gas and electric welding, blow-torch work, reservoir repairs, engine testing, battery charging, and all operations involving open flames shall be restricted to the repair shop section and isolated from the storage section of any hangar. During such operations, the shop shall be separated from the storage section by closing all doors and openings to the storage section.

#### **STORAGE OF MATERIALS**

Gasoline, kerosene, ethyl, jet fuel, ether, lubricating oil or other flammable gases or liquids, including those used in connection with the process of doping, shall be stored in accordance with the applicable Federal, State, or County codes and laws.



### **HAZARDOUS MATERIALS**

Explosives or other hazardous materials barred from loading in, or for transportation by Civil Aircraft in the United States under current or future regulations promulgated by the Department of Transportation, the Federal Aviation Administration, or by any other competent authority shall not be transported, handled, or stored in or upon the Airport without prior written permission from the Airport Director. Compliance with the above referenced regulations shall not constitute a waiver of the required notice or an implied permission to keep, transport, handle or store such explosives or other dangerous articles at, in or upon the Airport. Advance notice of at least 48 hours shall be given the Airport Director to permit full investigation and clearance for any operation requiring a waiver to this rule.

No person may offer, and/or knowingly accept, any hazardous article for shipment at the Airport unless the shipment is handled and stored in full compliance with the current provisions of Federal Aviation Regulations.

### **MOTORIZED GROUND EQUIPMENT AROUND AIRCRAFT**

No person shall park motorized ground equipment near any aircraft in such manner so as to prevent it or the other ground equipment from being readily driven or towed away from the aircraft in case of an emergency.

### **OPERATING MOTOR VEHICLES IN HANGARS**

No person shall operate a motor vehicle in any hangar that is occupied by an aircraft on the Airport unless its exhaust is protected by back flame spark arrestor pursuant to NFPA guidelines.

### **ELECTRICAL EQUIPMENT AND LIGHTING SYSTEMS**

Vapor or explosion-proof electrical equipment and lighting systems shall be used exclusively within hangars or maintenance shelters when required under NFPA Standards. No portable lamp assembly shall be used without a proper protective guard or shield over such lamp assemblies to prevent breakage.

### **HEATING HANGARS**

The only heating systems or devices that shall be approved for use in hangars are those that have been approved by the Underwriters Laboratories, Inc., as suitable for use in aircraft hangars and shall be installed and maintained in the manner prescribed by the Underwriters Laboratories, Inc.

### **USE OF CLEANING FLUIDS**

Cleaning of aircraft parts and other equipment shall preferably be done with non-flammable cleaning agents or solvents. When the use of flammable solvents cannot be avoided, only liquids having flash points in excess of 100°F shall be used and special precautions shall be taken to eliminate ignition sources in compliance with NFPA good practice recommendations.



### **COMPRESSED GASES**

Oxygen or any combustible compressed gas in a cylinder, flask, or portable tank must be secured to a fixed location or secured to a portable cart designed and approved specifically for the cylinder(s), flask(s), or tank(s) being secured.

### **LUBRICATING OILS**

Unless otherwise permitted by the Airport Director, a total of 60 gallons (commercial operators) and 10 gallons (non-commercial operators) of lubricating oils having a flash point at or above 140 degrees may be stored in hangars provided that the product is stored in the original container and has the original manufacturer's labeling (or that the product is stored in other suitable containers approved by the Airport Director).

### **DOPING, SPRAY PAINTING, AND PAINT STRIPPING**

The use of "dope" (cellulose nitrate or cellulose acetate dissolved in volatile flammable solvents) within any hangars is prohibited. The process of doping shall be carried out as set forth in NFPA Standards and applicable County Codes.

For paint, varnish, or lacquer spraying operations, the arrangement, construction, ventilation, and protection of spraying booths and the storing and handling of materials shall be in accordance with NFPA Standards and applicable County Codes.

### **DISPOSAL OF TOXICANTS / POLLUTANTS**

No person shall dispose of any oils, fuels, solvents, chemicals, or any other toxic substances or pollutants on the Airport.

### **DISPOSAL OF AIRCRAFT ENGINE OIL**

The County provides containers for disposing of aircraft engine oil at the Airport Operations Building.

## **5.2 Fueling Operations**

### **GENERAL**

Fuel sales to the public shall only be conducted by a Full Service Fixed Base Operator (FBO) and in accordance with the Airport Minimum Standards. All fueling operations, including self-fueling at the Airport, shall be conducted in accordance with all applicable NFPA procedures and Advisory Circular 150/5230-4. No deviations from NFPA procedures are permitted without prior written approval of the Airport Director.

All aircraft refueling apparatus and containers shall be bonded in accordance with NFPA procedures.

No aircraft shall be fueled while the aircraft is being pre-heated.



Hot fueling or fueling while an aircraft engine is running is prohibited unless the fueling personnel are properly trained and the aircraft is equipped for such operations.

No person shall smoke within 50 feet of an aircraft undergoing fuel servicing. No aircraft shall be fueled when lightning is observed or evident in the immediate vicinity of the Airport.

Extreme caution shall be exercised at all times to prevent fuel spills. When a spill occurs, servicing shall cease immediately and the Airport Director shall be notified. Persons engaged in the fueling of aircraft shall exercise care to prevent overflow of fuel and shall be personally and financially responsible for the immediate cleanup if spillage should occur.

No aircraft shall be fueled while inside any building or structure.

No fuel vehicle designed for or employed in the transportation of fuel shall be operated on a runway or taxiway without an operating beacon and continuous two-way radio communication with the ATC Tower. During periods when the FAA ATC Tower is not in operation, the vehicle operator shall self-announce his or her position and intentions prior to crossing an active runway. The vehicle operator shall also self-announce being clear of all-active runways and taxiways. No fuel vehicle shall be parked within 50 feet of any Airport building or within 10 feet of other vehicles.

Defueling of aircraft in hangars that are not approved for maintenance is prohibited.

#### **SELF-FUELING**

An aircraft owner/operator may fuel his or her aircraft in designated areas. All aircraft self-fueling operations shall be done in a safe manner using methods that will not cause spillage. An approved method of bonding in accordance with NFPA 407 shall be used at all times.

A conductive funnel shall be used to reduce the chance of spillage during fueling operations, unless a hose with an approved nozzle is being used.

A fire extinguisher in accordance with NFPA 407 shall be available and located in close proximity during self-fueling operations. All self-fueling devices, containers, pumps, fuel trucks and tanks are subject to inspection and approval by the Airport Director.

#### **FUEL STORAGE**

Except in the Airport's consolidated fuel farm, no more than 5 gallons of fuel shall be stored anywhere on the Airport at any time. A safety fuel container (with self-closing lid) shall be used at all times.



## **Section 6 – Security Requirements**

### **6.1 Security Requirements**

#### **GENERAL**

RESTRICTED AREAS are established for safety and security reasons. Except for passenger enplaning or deplaning of aircraft, the general public is prohibited from the AOA unless escorted by an authorized airport employee. The general public is also prohibited from all other areas of the airport posted as being RESTRICTED AREAS.

Only flight crews, passengers going to and from aircraft, aircraft service and maintenance technicians, FAA, ARFF, and security personnel, or others authorized by the Airport Director shall be permitted into the AOA.

Pedestrians or motor vehicle operators observed in other than public use areas without authorization by the Airport Director will be considered trespassing and subject to arrest.

#### **SECURITY OF AIRCRAFT AND AOA**

Tenants, tenant employees, and airport users are responsible for the security of all aircraft and other private property entrusted to their care on the AOA or other locations on their airport tenant-leased areas of responsibility.

Tenants, tenant employees, and airport users are responsible for safeguarding doors, gates, and other forms of passageways between the AOA and the landside of the Airport.

A breach of security caused by a tenant, tenant's employee, or airport user that results in a finding of negligence by an authorized agency may result in a fine or a denial of access to the AOA.

#### **SECURITY VIOLATIONS**

In addition to other remedies, any violation of the Security Program shall subject such person or tenant to damages equal to the amount of any civil fines imposed by the TSA or other federal, state, or local agency having authority to impose civil fines for airport security violations.

#### **BADGING PROGRAM**

The Airport Director may, at his/her discretion, implement a security badging program that requires persons to display identification badges in designated areas of the Airport. Failure to comply with any of the requirements of such a program shall constitute a violation of these Rules and Regulations.



## **Section 7 – Enforcement, Penalties, and Appeals**

### **7.1 Enforcement**

These Rules and Regulations, as well as all applicable laws, shall be enforced at the Airport by the Airport Director and law enforcement officers appointed pursuant to law.

Unless otherwise specified herein, violations of the Dutchess County Airport Rules and Regulations will be enforced as follows:

#### **1. Violation Notice**

The Notice of Violation will be issued by the Airport Director.

### **7.2 Penalties**

Any person violating any of the Airport Rules and Regulations may be deprived of the use of the Airport for such period of time as may be determined by the Airport Director.

### **7.3 Severability**

If any provision of these Rules and Regulations or the application thereof to any person or circumstance is held invalid, the remainder of these Rules and Regulations shall not be affected.

### **7.4 Appeals**

The Airport Director's determinations may be appealed by the aggrieved party in writing to the Commissioner of Public Works. The Commissioner of Public Works shall issue a written decision on the appeal within twenty (20) business days of a fully submitted appeal.

# **Appendix A**

## **Definitions**

## Abbreviations and Definitions

**Aeronautical Activity** – Any activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations, e.g. air taxi and charter operations, scheduled or nonscheduled air carrier services, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, aircraft sales and service, aircraft storage, sale of aviation petroleum products, repair and maintenance of aircraft, sale or aircraft parts, parachute activities, ultralight activities.

**Aeronautical Service** – Any service which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of aircraft operations commonly conducted on the Airport.

**“Agreement”** shall refer to the written agreement between the County and an Operator specifying the terms and conditions under which the Operator may conduct any Activity or perform any Service. Such Agreement shall recite the terms and conditions under which the activity or service will be conducted at the Airport including, but not limited to, term of the Agreement, rents, fees and charges to be paid, and the rights and obligations of the respective parties.

**Airport Director** – The Dutchess County Airport Director employed by the County of Dutchess.

**Aircraft** – (also Airplane, Balloon, Ultralight, Helicopter) – Any device or contrivance now known or hereafter invented, that is used or intended to be used for flight in the air.

**Aircraft Maintenance** – The repair, adjustment or inspection of an aircraft by a pilot, owner or mechanic other than the routine cleaning, upkeep and servicing of an aircraft in preparation for flight. Minor repairs are characterized as normal, routine annual inspection with attendant maintenance, repair, calibration or adjustment or repair of aircraft and their accessories. Major repairs are characterized as major alterations to the airframe, power plant, propeller and accessories as defined in Part 43 of the Federal Aviation Regulations (FARs).

**Aircraft Operation** – An aircraft takeoff, landing, touch and go, stop and go, low approach and/or missed approach.

**Airport Operations Area (AOA)** – That area of the airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft. The AOA includes the active runways, taxiways, and taxilanes at the Airport.

**Airport** – All land, buildings, and facilities comprising the Dutchess County Airport, as now existing or as the same may hereafter be expanded and developed, unless otherwise designated.

**Air Taxi (Commuter)** – Aircraft operated by the holder of an Air Taxi (Commuter) Operating Certificate which authorizes the carriage of passengers.

**Air Traffic Control (ATC)** – A service provided by the FAA to promote the safe, orderly and expeditious flow of air traffic.

**Air Traffic Control Tower (ATCT)** – The facility from which the FAA provides air traffic control services.

**Apron** – An area of the airport designated for aircraft surface maneuvering, parking, fueling, servicing and enplaning/deplaning passengers.

**Based Aircraft** – Any Aircraft utilizing the Airport as a base of operation (other than occasional transient purposes) with an assigned tie down or hangar space on the Airport, or on adjoining property which has direct taxiway access to the Airport.

**Building** – The main portion of each structure, all projections or extensions there from and any additions or changes thereto, and shall include hangars, garages, outside platforms and docks, carports, canopies, eaves and porches. Paving, ground cover, fences, signs and landscaping shall not be included in this definition.

**CFR** – Code of Federal Regulations.

**Commercial** – That which involves or makes possible earnings, income, compensation (including exchange of service), and/or profit, whether or not such objectives are accomplished. Commercial activities include the sale, offering for sale, rental or furnishing of any commodity, article, facility or space, or the provision of any service for compensation of any type, whether the same occurs in whole or part on the Airport.

**Commissioner** – The County of Dutchess Commissioner of Public Works.

**County** – The County of Dutchess

**Defuel** – To remove fuel from the tanks or fuel cells of an Aircraft.

**Driver** – Any person who drives or is in actual physical control of a vehicle on a roadway, parking lot, ramp area, or taxiway, or who is exercising control of a vehicle or steering a vehicle being towed by another vehicle.

**Emergency Vehicle** – Any vehicle that is capable of responding to an emergency in an official capacity, whether ambulances or a vehicle of any police or fire department, or any vehicle carrying a Police Officer, certified firefighter or paramedic.

**Experimental Aircraft** – Any aircraft used for noncommercial purposes holding a certificate issued by the Federal Aviation Administration under Federal Aviation Regulations Part 21, classifying the aircraft in the experimental aircraft category.

**FAA** – Federal Aviation Administration.

**FAR Part 135 Aircraft Charter** – An operator who undertakes directly by lease, or other arrangement, to engage in on-demand air transportation for hire or compensation on an unscheduled basis in accordance with or exceeding the requirements of FAR Part 135.

**Fixed Base Operator (FBO)** – Means an Operator that maintains facilities at the Airport for the purpose of engaging in the retail sale of aviation fuels (AVGAS and Jet Fuel), aircraft airframe and engine repair, and such other services as are required by Minimum Standards, or may be authorized under a Lease or License.

**Federal Aviation Regulations (FAR)** – Title 14 of the Code of Federal Regulations regarding aeronautics and space. A codification of the general and permanent rules published by the office of the federal register by the executive department and the Federal Aviation Administration.

**Fuel** – Any petroleum product used for the purpose of providing propulsion of an aircraft.

**Fueling Vehicle** – Any vehicle used for transporting, handling or dispensing of fuel, oils and lubricants for aircraft.

**Instructor** – Any person giving or offering to give, instruction in the operation, construction, repair or maintenance of aircraft, or aircraft power plants, and aircraft accessories.

**Landing** – All flights arriving at the Airport for revenue and non-revenue purposes, including, but not limited to, commercial, training, private, ferry and charter.

**Lease** – A written agreement between the County and a business or person which is enforceable by law, wherein said agreement grants a concession or otherwise authorizes the conduct of certain activities at the Airport.

**Legislature** – The County of Dutchess Legislature.

**Maintenance Run-up** – Aircraft engine operation above normal idle speed, the purpose of which is engine maintenance or testing, but excluding engines operating for purposes of preparing for and taking off.

**Minimum Standards** – The Dutchess County Airport Minimum Standards for Aeronautical Activity and Aeronautical Service Providers, which includes qualifications or criteria which may be established by the Airport as minimum requirements that must met by businesses engaged in On-Airport aeronautical activities or services in exchange for the right to conduct those activities.

**National Fire Protection Association (NFPA)** – All codes, standards, rules, and regulations contained in the Standards of the National Fire Protection Association, as may be amended from time to time, and are incorporated herein by reference.

**Notice To Airmen (NOTAM)** – A notice containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.

**Operator** – The person, firm or corporation in possession of an aircraft or vehicle or any person who has rented an aircraft or vehicle for the purpose of operation by himself or his/her agent.

**Person** – An individual, corporation, government or governmental subdivision, partnership, association, or any other legal entity, or any representative thereof.

**Police Dog** - A dog that is trained specifically to assist police and similar law-enforcement personnel with their work.

**Private Aircraft** – Aircraft privately-owned and non-commercially operated by the owner or owners; or an aircraft used by the owner in connection with an owner's business, comparable to an owner's use of his private automobile, or an aircraft owned and operated by a company or corporation for the free transportation of its or other personnel and/or products.

**Restricted Area** – Those portions of the airport closed to access by the general public.

**SASO** – Specialized Aviation Service Operator. A single-service provider or special FBO performing less than full services. These entities differ from a full service FBO in that they typically offer only specialized aeronautical service such as aircraft sales, flight training, aircraft maintenance, and avionics for example.

**Self-Fueling** – Fueling of an aircraft on Airport property, performed by the aircraft owner or operator in accordance with the Airport's reasonable standards or requirements and using fuel obtained by the aircraft owner from the source of his/her preference.

**Self-Service Fueling**—Fueling of an aircraft by the pilot using fuel pumps installed for that purpose. The fueling facility may or may not be attended by the owner/operator of such a facility. The use of this type of facility is not considered to be Self-Fueling.

**Service Animal** – An animal such as a guide dog, signal dog, or other animal which provides assistance to an individual with a disability.

**Sheriff** – The Sheriff of Dutchess County.

**Taxilane** – An area of the airport developed and improved for the purpose of maneuvering aircraft and used for access between taxiways, ramps, aprons, and aircraft parking positions.

**Taxiway** – An area of the airport developed and improved for the purpose of maneuvering aircraft on the ground between runways and aprons.

**Tenant** – Any person or firm authorized to exclusively occupy specific premises on the Airport by virtue of an Agreement with the Airport.

**Terminal Area** – The passenger terminal proper, aircraft ramps, baggage-handling facilities, vehicular parking spaces, including rental car areas, roadways, water, sanitary sewer, storm sewer, gas, electrical, cable TV and other areas and facilities the primary function of which is to serve the terminal and the operations of scheduled air carriers.

**Tie-Down** – The area, paved or unpaved, suitable for parking and mooring of aircraft wherein suitable tie-down points have been located.

**TSA** – Transportation Security Administration

**Vehicle** – All motorized and non-motorized conveyances, except aircraft.

**Part 43** of the Federal Aviation Regulations (FAR) permits the holder of a pilot certificate to perform specific types of preventative maintenance on any aircraft owned or operated by the pilot. Examples of work considered as preventative maintenance in FAR Part 43, Appendix A, part C are as follows:

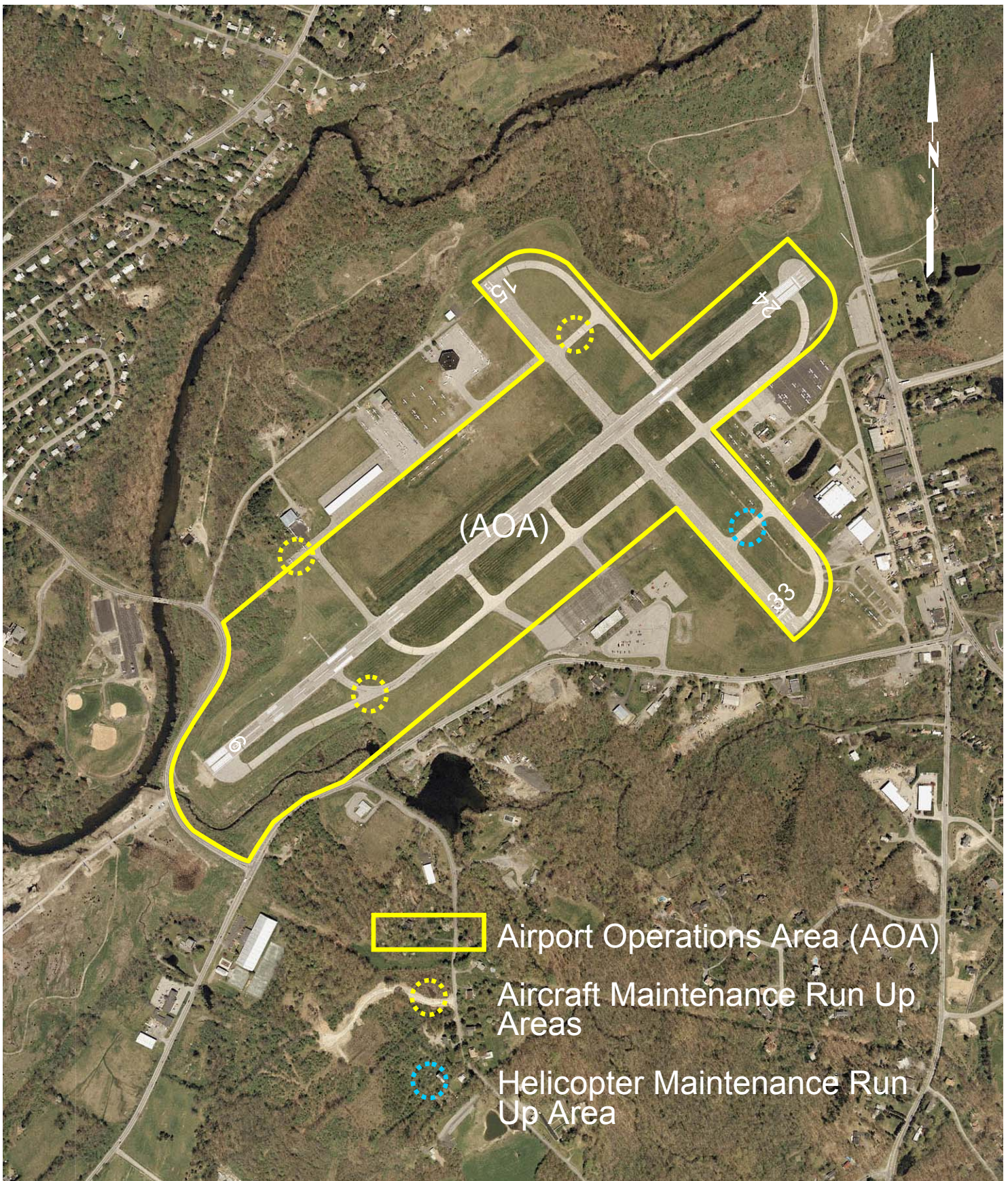
1. Removal, installation, and repair of landing gear tires.
2. Replacing elastic shock absorber cords on landing gear.
3. Servicing landing-gear shock struts by adding oil, air, or both.
4. Servicing land-gear wheel bearings, such as cleaning and greasing.
5. Replacing defective safety wiring or cotter keys.
6. Lubrication not requiring disassembly other than removal of nonstructural items such as cover plates, cowlings, and fairings.
7. Making simple fabric patches not requiring rib stitching or the removal of structural parts or control services. In the case of balloons, the making of small fabric repairs to envelopes (as defined in and in accordance with, the balloon manufacturers' instructions) not requiring load tape repair or replacement.
8. Replenishing hydraulic fluid in the hydraulic reservoir.
9. Refinishing decorative coating of fuselage, balloon baskets, wing tail group surfaces (excluding balanced control surfaces), fairings, cowlings, landing gear, cabin or cockpit interior, when removal or disassembly of any primary structure or operating system is not required.

10. Applying preservative or protective material to components where no disassembly of any primary structure or operating system is involved and where such coating is not prohibited or is not contrary to good practices.
11. Repairing upholstery and decorative furnishings or the cabin, cockpit, or balloon basket interior when the repairing does not require disassembly of any primary structure or operating system, or interfere with an operating system, or affect the primary structure of the aircraft.
12. Making small, simple repairs to fairings, nonstructural cover plates, cowlings, and small patches and reinforcements not changing the contour so as to interfere with proper airflow.
13. Replacing side windows where that work does not interfere with the structure or any operating system such as controls, electrical equipment, etc.
14. Replacing safety belts.
15. Replacing seats or seat parts with replacement parts approved for the aircraft, not involving disassembly of any primary structure or operating system.
16. Troubleshooting and repairing broken circuits in landing-light wiring circuits.
17. Replacing bulbs, reflectors, and lenses of position and landing lights.
18. Replacing wheels and skis where no weight and balance computation is involved
19. Replacing any cowling not requiring removal of the propeller or disconnection of flight controls.
20. Replacing or cleaning spark plugs and setting of spark plug gap clearance.
21. Replacing any hose connection except hydraulic connections.
22. Replacing prefabricated fuel lines.
23. Cleaning or replacing fuel and oil strainers or filter elements.
24. Replacing and servicing batteries.
25. Cleaning of balloon burner pilot and main nozzles in accordance with the balloon manufacturer's instructions.
26. Replacement or adjustment of nonstructural standard fasteners incidental to operations.
27. The interchange of balloon baskets and burners on envelopes when the basket or burner is designated as interchangeable in the balloon type certificate data and the baskets and burners are specifically designed for quick removal and installation.
28. The installations of anti-misfueling devices to reduce the diameter of fuel tank filler openings provided the specific device has been made a part of the aircraft type certificate data by the aircraft manufacturer, the aircraft manufacturer has provided FAA-approved instructions for installation of the specific device, and installation does not involve the disassembly of the existing tank filler opening.
29. Removing, checking, and replacing magnetic chip detectors.

30. The inspection and maintenance tasks prescribed and specifically identified as preventive maintenance in a primary category aircraft type certificate or supplemental type certificate holder's approved special inspection and preventive maintenance program when accomplished on a primary category aircraft provided they are:
  - a. Performed by the holder of at least a private pilot certificate issued under part 61 who is the registered owner (including co-owners) of the affected aircraft and who holds a certificate of competency for the affected aircraft;
  - b. Issued by a school approved under Sec. 147.21 of this chapter;
  - c. Issued by the holder of the production certificate for that primary category aircraft that has a special training program approved under Sec. 21.24 of this subchapter; or
  - d. Issued by another entity that has a course approved by the Administrator; and
  - e. The inspections and maintenance tasks are performed in accordance with instructions contained in the special inspection and preventive maintenance program approved as part of the aircraft's type design or supplemental type design.
31. Removing and replacing self-contained, front instrument panel-mounted navigation and communication devices that employ tray-mounted connectors that connect the unit when the unit is installed into the instrument panel, (excluding automatic flight control systems, transponders, and microwave frequency distance measuring equipment (DME)). The approved unit must be designed to be readily and repeatedly removed and replaced, and pertinent instructions must be provided. Prior to the unit's intended use, and operational check must be performed in accordance with the applicable sections of part 91 of this chapter.
32. Updating self-contained, front instrument panel-mounted Air Traffic Control (ATC) navigational software data bases (excluding those of automatic flight control systems, transponders, and microwave frequency distance measuring equipment (DME)) provided no disassembly of the unit is required and pertinent instructions are provided. Prior to the unit's intended use, an operational check must be performed in accordance with applicable sections of part 91 of this chapter.

# **Appendix B**

## **Aircraft Operations Area**



-  Airport Operations Area (AOA)
-  Aircraft Maintenance Run Up Areas
-  Helicopter Maintenance Run Up Area

